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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Katsuhiko HIRAMATSU

Group Art Unit: 2683

Appln No. : 09/423,633

Examiner: Marcos Torres

Filed : November 17, 1999

For : BASE STATION APPARATUS AND RADIO COMMUNICATION METHOD

SUBMISSION UNDER 37 C.F.R. § 1.114 **RECEIVED**

Assistant Commissioner of Patents  
Washington, D.C. 20231

FEB 10 2003

Technology Center 2600

Sir:

In response to the Official Action of September 6, 2002, with regard to which a Request for Continued Examination under 37 C.F.R. § 1.114 is being concurrently filed, Applicant submits the following further arguments and respectfully requests reconsideration of the outstanding rejection together with an indication of the allowability of all of the claims pending in the present application.

REMARKS

In the outstanding Official Action of September 6, 2002 the Examiner rejected claims 1, 3-6, 15, 17-19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over FORSSEN et al in view of DUNBRIDGE et al. In amplifying on the rejection, the Examiner admitted that FORSSEN does not specifically disclose inter alia, a reception section that receives a "reception power ratio signal" and "a determining section that based upon a difference between a transmission power ratio" and the reception power ratio but relied upon DUNBRIDGE et al. for these teachings. In particular, the Examiner directed Applicant's attention to the disclosure of DUNBRIDGE et al. at Col. 6, lines 23-36. Based upon the